Remarks

Applicant is grateful to the Examiner for his clear and detailed comments.

Applicant has amended the claims in a manner believed to more clearly distinguish the present invention over the prior art of record and, in particular, Lung (US6532230). The changes made to the claims will be apparent from the marked-up claims above. Applicant has generally amended the independent claims to a feature not disclosed nor suggested by Lung, namely to the feature that the sending of a pre-specified message to a destination party mail box is responsive to information from a user (the sender) identifying a selected one of a plurality of pre-specified messages stored at a messaging server that is to be sent to the destination party mail box and an indication of the identity of a destination party associated with the destination party mail box. This provides a user with the possibility of selecting any (appropriate to the user's current circumstances) one of the plurality of pre-specified messages to send to a destination party. As such, it provides the user with an easy mechanism of communicating an appropriately selected one of a number of previously defined messages without having to place a call or make a communication directly with the destination party. In the invention as claimed, the user provides the aforementioned information to the messaging server and the messaging server, in response to receiving the information, sends the user selected pre-specified message to the destination party. Thus, no message is communicated by way of a direct communication connection between the user and destination party and thus no direct (i.e. from user to recipient) communication connection is required to convey the selected message.

In contrast, Lung discloses an integrated messaging server for creating mixed media messages. A user initially uses a telephone handset to record a voice message. The recorded voice message is placed in an attachment area. Subsequently, the user uses a computer to compose a document such as an email

message to be sent to a recipient. On sending the email to the recipient, the integrated server attaches the voice message to the email to form a mixed media message to be delivered to the recipient. In Lung, the attached message may be something other than a recorded voice message but this is immaterial to the consideration of novelty and obviousness.

It can be seen in the system of Lung that, sending a pre-recorded voice message or the like to a recipient, is dependent on the user (sender) composing an email message (to which the voice message is then attached) which will be delivered to the recipient. Thus, it is a requirement in Lung that delivery of a pre-recorded message to a recipient is consequent on the sender composing and sending an email (or document) message to the recipient, i.e. by way of a directly communicated message to a recipient. The present invention as now claimed does not require the user to compose any form of message to which the selected pre-specified message must be attached for delivery. It is only necessary to provide information identifying the selected one of the pre-specified messages and an indication of the destination party to the messaging server. The selected pre-defined message itself is sent from the messaging server to the destination party although, in exemplary embodiments, further user information may be appended to the selected pre-defined message.

While the email message employed in the system disclosed by Lung can be said to provide an indication of the destination party, this information is not employed in Lung to determine which pre-recorded voice message is to be attached to the email nor is there any suggestion that it could so be used. In Lung, when a user records a voice message, the recorded voice message, suitably digitized for storage, is placed in an attachment area "associated with the user", column 7, line 42. When a user composes an email to send to the recipient, "message agent 530 determines who the sender of the message is", column 8, lines 27/28. "Next message agent 530 determines the attachment location in memory for the sender, step 766, and then determines whether there are any recorded messages in the attachment area",

column 8, lines 27 to 31. Any such recorded messages are then attached to the email to form the mixed media message which is sent to the recipient. There is no disclosure in Lung or any suggestion that a user can select any particular one of a plurality of such recorded messages for attachment to the email. It is apparent from the whole disclosure of Lung that any recorded messages in the attachment area, whether pre-recorded by the user or provided by another user by way of an earlier email message to the user, are all attached to the user composed email when sent. Therefore, it follows that there is no requirement to process the identity of the destination party of the composed email because the system is arranged to attach all the messages in the attachment area to the composed email.

The system of Lung addresses a completely different need to that of the present application. Lung is directed at a document editing process whereby a user can attach verbal comments to a document message being conveyed to a recipient. Thus, the user uses a telephone handset to record his/her voice message which is placed in an attachment area together with any other recorded messages, possibly from other users, ready to be attached to an email being composed for sending to the recipient.

Furthermore, the process taught by Lung is a more user intensive process than that of the present invention in that it requires the user to use two different communication devices to create the mixed media message to be sent to a recipient and requires the user to compose a document message such as an email.

Lung does not disclose the features of "*an input to the communications network arranged to receive information from said user identifying a user selected one of the plurality of pre-specified messages and indicative of a destination party associated with said destination party mail box*" nor "*wherein when the user information indicative of the destination party is received from said user at the*

messaging server, the user selected one of said plurality of pre-specified messages is sent to the destination party mail box from the messaging server".

Consequently, independent claims 1, 11, 15, 16, 17, 20, 23, 29, 30 and 31 are novel in view of Lung and are not rendered obvious thereby.

New independent claim 32 is directed to a telephony enabled communication network. Lung teaches a document based communication network. Claim 32 is novel in view of Lung. No additional fee is required for this claim.

Independent Claims 18 and 19 have been cancelled.

Referring to subsidiary features of the dependent claims, there is no disclosure in Lung of appending further user information to a user selected pre-defined message stored in a messaging server (claim 4). This is a further point of novelty over Lung for independent claims 20, 25, 29, 30 and 31. Lung teaches that a pre-recorded voice message or the like can be appended to a user composed document message such as an email which is not the same thing at all.

Favorable reconsideration of claims 1 to 17 and 20 to 32 is respectfully requested.

An appropriate request for extension of time is also submitted herewith.

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